

REMARKS

Claims 1-21 are now in the application. By this Amendment, claims 1 and 8 have been amended and claim 21 has been added. Support for the amendment to claim 1 is found at least at Fig. 6 and at page 18, lines 14-32, of the specification. Claim 8 has been amended to correct an informality. Support for new claim 21 is found at least at page 19, lines 13-17, of the specification. No new matter has been added by this response.

Claims 1-20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 694,295 to Maxim in view of U.S. Patent Application Publication No. 2005/0066835 to Hafstrand.

As appreciated by the Examiner, Maxim fails to suggest features that can reasonably be considered to correspond to a combustion of the propellant tubes is partially mutually overlapping, as recited in independent claim 1. The Office Action relies on Hafstrand for curing the deficiencies of Maxim.

Claim 1, as amended, recites that the maximum pressure within the barrel weapon resulting from each combustion is equal to or slightly below a maximum operational pressure. At least this feature of independent claim 1 cannot reasonably be considered to be suggested in the applied citations.

The Advisory Action asserts that Maxim suggests, at page 2, lines 56-60, features that can reasonably be considered to correspond to a partially, mutually overlapping combustion. Applicants respectfully submit that Maxim fails to suggest this claim feature as it is taught in Applicants' disclosure, for example at Fig. 6. However, to more clearly recite the patentable distinguishing features of the claimed subject matter, Applicants herewith amend claim 1 to recite the pressure resulting within the barrel upon ignition of the charge.

As set forth at page 1, lines 7-9, the claimed subject matter allows to produce propellant charges with higher charge density than previously considered possible. This allows, for example, to increase the performance of older artillery pieces by providing them with more up-to-date

ammunition. However, as set forth at page 1, lines 27-30, the resulting barrel pressure must not exceed the maximum permissible pressure.

Maxim is directed to a charge composed of a plurality of layers adapted to secure progressive combustion. However, Maxim, or Hafstrand, fail to suggest that a pressure within a barrel is equal to or slightly below a maximum operational pressure of a barrel weapon.

Moreover, the applied citations fail to suggest that generation of propellant gas has essentially ceased entirely immediately before a projectile leaves a muzzle of the barrel weapon, as recited in new claim 21.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicants concurrently herewith submit the requisite fee for a Request for Continued Examination and a Petition for a third one-month Extension of Time. Applicants previously submitted the requisite fee for a Petition for a two-month Extension of Time with the Amendment filed on June 12, 2009. Applicants believes no additional fee is due with this response. However, if any such additional fee is due, please charge our Deposit Account No. 22-0185, under Order No. 20459-00400-US1 from which the undersigned is authorized to draw.

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Respectfully submitted,

Electronic signature: /Georg M. Hasselmann/
Georg M. Hasselmann
Registration No.: 62,324
CONNOLLY BOVE LODGE & HUTZ LLP
1875 Eye Street, NW
Suite 1100
Washington, DC 20006
(202) 331-7111
(202) 293-6229 (Fax)
Attorney for Applicants